

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, FEBRUARY 27, 1995  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:09 p.m. City Manager Jack McGrory commented on the countless letters and telephone calls he received from commentators on National TV, professional golf officials, and the public, on the excellent condition of the Torrey Pines Golf Course during the Torrey Pines Buick Invitational California Professional Golf Tournament. He welcomed and commended the group of employees responsible for doing an outstanding job in bringing the golf course up to a professional golf level. Mayor Golding acknowledged and welcomed General Bruce Scott, Commanding General of the western region for the Army Corps of Engineers and Colonel Michael Robinson in charge of the Los Angeles area of the Corps. Mayor Golding adjourned the meeting at 4:50 p.m. into Closed Session on Tuesday, February 28, 1995, at 1:30 p.m. in the twelfth floor conference room to discuss litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-excused by R-285522  
(represented City in Washington, D.C., on  
Clean Water program)
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-not present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Steve Taylor of the Calvary Temple Assembly of God Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Harvey.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding money matters. He also encouraged the City Council to read the book entitled "Vultures in Eagles Clothing".

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A038-061.)

ITEM-PC-2:

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Comment by Donald P. Ray, Jr. regarding freedom for the people of Tibet.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A062-081.)

ITEM-PC-3:

Comment by Gary Marchinke regarding affirmative action.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A087-105.)

ITEM-PC-4:

Comments by Harold Murray and Laura Warner regarding the Equal Employment Opportunity Ordinance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A109-157.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stevens regarding a letter he received from a constituent who had positive comments about the City employees who had repaired a broken wastewater drain near his home. Council Member Stevens welcomed and commended the employees from the Water Utilities Department for the excellent job they did and also emphasized that all City employees are not slackers.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A159-176.)

ITEM-CC-2:

Comment by Council Member Warden thanking Marcela Escobar for serving as Council Liaison; she then welcomed Marcela's replacement, Alex Bragado, a supervisor in the Financial

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Management Department. Marcela will return to streamlining the permit process.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A177-185.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

1/30/95 Adjourned

1/31/95

2/6/95

2/7/95

2/7/95 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A460-470.)

MOTION BY HARVEY TO APPROVE THE MINUTES AND TO ADOPT ITEMS 31, 119 AND 137. Second by Kehoe. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: 50th Anniversary of Iwo Jima.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1219) ADOPTED AS RESOLUTION R-285360

Encouraging all citizens to honor the 50th Anniversary of Iwo Jima and the men and women who served in this great battle to preserve a nation and its freedom.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A208-348; A460-470.)

MOTION BY HARVEY TO APPROVE THE MINUTES AND TO ADOPT ITEMS 31, 119 AND 137. Second by Kehoe. Passed by the following

vote: Mathis-not present, Harvey-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-50:

SUBJECT: Editorial Amendment to the Mid-City Communities Planned  
District Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
2/6/95. (Council voted 9-0):

(O-95-74) ADOPTED AS ORDINANCE O-18164 (New Series)

Amending Chapter X, Article 3, Division 15, of the San  
Diego Municipal Code by amending Section 103.1504,  
relating to Project Review Regulations in the Mid-City  
Communities Planned District, to correct an editorial  
error to regulate outdoor storage and placement within  
the residential zones.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND  
ADOPT ORDINANCE. Second by Warden. Passed by the following  
vote: Mathis-not present, Harvey-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Awarding Contracts for Heavy Duty Motive Equipment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-997) ADOPTED AS RESOLUTION R-285361

Awarding contracts to Bengal Equipment & Tractor Co.  
(El Cajon, CA), Contractors Equipment Company (San  
Marcos, CA), Clairemont Equipment Company (San Diego),

and Ingersoll Rand Equipment Sales (Pico Rivera, CA), for heavy duty equipment, for a total cost of \$1,102,421.75, including tax as follows:

1. Bengal Equipment & Tractor Co. (El Cajon, CA) - for Item 1 - one skid steer tractor (GEHL Model 3410 with Zieman Model 1165 Trailer) at a cost of \$14,811.60; Item 4 - two all wheel drive tractor loader backhoes (JCB Model 215S with Option #1 Auxiliary Hydraulics) at a cost of \$75,771 each; and Item 8 - two tandem drive motor graders (Champion Model 710A) at a cost of \$88,715.55 each, with an option to purchase additional equipment at the same price for a period of six months from the date of the original purchase order;
2. Contractors Equipment Company (San Marcos, CA) - for Item 2 - one two wheel drive tractor loader with three point hitch (Case IH4210) at a cost of \$25,390; Item 3 - three industrial rubber tired loader backhoes (Case Model 580L with Option #1 Auxiliary Hydraulics) at a cost of \$47,155 each; and Item 6 - two 4x4 articulated 2 1/4 cubic yard loaders (Case Model 621B) at a cost of \$73,706 each, with an option to purchase additional equipment at the same price for a period of six months from the date of the original purchase order;
3. Clairemont Equipment Company (San Diego) - for Item 5 - two 4x4 articulated 1 1/4 cubic yard loaders (Komatsu Model WA 120-1) at a cost of \$67,705 each; and Item 7 - one crawler tractor dozer with ripper (Dresser Model TD-15E) at a cost of \$162,349, with an option to purchase additional equipment at the same price for a period of six months from the date of the original purchase order;
4. Ingersoll Rand Equipment Sales (Pico Rivera, CA) - for Item 9- one dual drum vibratory roller with trailer (Ingersoll Rand Model DD65) at a cost of \$74,490, with an option to purchase additional equipment at the same price for a period of six months from the date of the original purchase order; In the event the Contractor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications;

Authorizing the expenditure of not to exceed \$1,102,421.75 from Funds Nos. 50031/50033, Department

Nos. 8201/8203, Object Account No. 6013, and Job Order  
Nos. 88095/88085;

Authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-C4574/95)

Aud. Certs. 9500827, 8500828, 9500829, 9500830.

FILE LOCATION: CONT - Purchase - Bengal Equipment & Tractor  
Co. (El Cajon, CA); Contractors Equipment  
Company (San Marcos, CA); Clairemont  
Equipment Company (San Diego); Ingersoll Rand  
Equipment Sales (Pico Rivera, CA) CONFY95-4

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Branch Library Air Conditioning Equipment and Theft  
Detection Equipment.

(Districts-3, 4, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1196) ADOPTED AS RESOLUTION R-285362

Authorizing the use of City Forces to do all the work  
in connection with the purchase and installation of air  
conditioning equipment and library materials theft  
detection equipment at branch libraries; declaring that  
the cost of the work shall not exceed \$79,008;

Authorizing the expenditure of an amount not to exceed  
\$79,008 from Capital Outlay Fund/Other 302453,  
CIP-35-066.0, Branch Library Air Conditioning/Theft  
Detection Systems.

CITY MANAGER SUPPORTING INFORMATION:

A number of branch libraries lack air conditioning and become hot and uncomfortable in the summer for patrons and staff. They also lack library materials theft detection systems, which provide enhanced security for library collections. This action will utilize City Forces to purchase and install air conditioning components to be integrated into the existing heating and ventilation systems in four branch libraries: Oak Park, East San Diego, Skyline Hills and Logan Heights. Materials theft detection systems will be installed in East San Diego and Skyline Hills branches. The addition of these improvements will allow better utilization of these facilities. A previous Managerial Action authorized installation of air conditioning at Serra Mesa Branch Library.

Aud. Cert. 9500826.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102:

SUBJECT: Three actions related to Inviting Bids for Construction  
of Water Main Replacement Group 480.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1058) ADOPTED AS RESOLUTION R-285363

Inviting bids for the Construction of Water Group 480  
on Work Order No. 180861;

Authorizing a contract with the lowest responsible  
bidder;

Authorizing the expenditure of not to exceed \$1,201,988  
from Water Revenue Fund 41500, CIP-73-083.0.  
(BID-K95070)



Subitem-B: (R-95-1120) ADOPTED AS RESOLUTION R-285364

Authorizing the use of City Forces to make connections and perform operational checks involving Construction of Water Group 480; declaring that the cost of the work shall not exceed \$164,322.

Subitem-C: (R-95-1119) ADOPTED AS RESOLUTION R-285365

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-92-0756, dated March 3, 1994, in connection with Construction of Water Group 480, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by the City Council as Lead Agency; adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Water Main Replacement Group 480 is part of the ongoing Capital Improvement Program to replace old and deteriorated water mains. The mains being replaced were originally constructed in the 1920's, and have reached their useful life. Replacement of the deteriorated water mains will provide the community with a safe and reliable local water infrastructure well into the next century. This project will construct 6,158 feet of new 8-inch water main in the Mid-City Community Area. The water mains have been looped in each street to provide the following:

1. Improved water supply for fire control purposes;
2. Better quality of water at the two dead-end mains as a result of improved circulation of water;
3. A second source of water in case of a broken pipe at either cul-de-sac.

The following streets will be affected by construction operations in the Mid-City Community Area: Hawley Boulevard, Cromwell Place, Cromwell Court, North Mountain View Drive, 35th Street and Wilshire Drive. Residents will be notified by mail at least one month before construction by the Water Utilities Department, Water Distribution Division.

Aud. Cert. 9500674.

WU-P-95-073.

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FILE LOCATION: W.O. 180861 CONT - Ortiz Corporation  
CONFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

**\* ITEM-103:**

SUBJECT: Two actions related to Inviting Bids for Construction  
of Water Main Replacement Group 531B.

(Mid-City Community Area. District-3.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-95-1122) ADOPTED AS RESOLUTION R-285366

Inviting bids for the Construction of Water Group 531B  
on Work Order No. 182541;

Authorizing a contract with the lowest responsible  
bidder;

Authorizing the City Manager to enter into Utility  
Agreement No. 29197 with the State of California for  
the relocation and adjustment of water main facilities  
within the Interstate I-15/40th Street Highway  
Improvement Project (Phase II);

Authorizing the expenditure of \$1,681,000 from Water  
Revenue Fund 41500, CIP-73-083.0, Annual Allocation  
-Water Main Replacements.

(BID-K95074)

Subitem-B: (R-95-1123) ADOPTED AS RESOLUTION R-285367

Authorizing the use of City Forces to make connections  
and perform operational checks involving Construction  
of Water Group 531B; declaring that the cost of the  
work shall not exceed \$184,000.

CITY MANAGER SUPPORTING INFORMATION:

The Department of Transportation of the State of California has determined that portions of existing 6-inch, 12-inch, and 16-inch water mains are in conflict with the I-15/40th Street Highway Improvement Project (Phase II) in Mid-City. Agreement No. 29197 will provide financing for the relocation of the conflicting water mains. All relocation work, except for a small amount of work by City forces, shall be done by a City contractor. The project consists of 8,050 feet of 16-inch, 46 feet of 12-inch, 344 feet of 10-inch, and 1,067 feet of 8-inch water mains. Under this agreement, the State will fund all of the relocation work, except for betterment and depreciation. The betterment consists of 380 feet of new 16-inch water main, 349 feet of new 8-inch water main, and the upgrade of an existing 6-inch water main to a new 8-inch water main. The betterment is to replace existing deteriorated facilities and to enhance the presently deficient water distribution system by increasing the flow capacity. Each agency shall fund the utilities engineering work, proportional to their cost responsibility for the construction costs.

Aud. Cert. 9500765.

WU-P-95-021.

FILE LOCATION: W.O. 182541 CONT - Vido Artukovich & Son,  
Inc. CONFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104:

SUBJECT: Inviting Bids for Construction of a Barrier Rail on the  
Pacific Highway Bridge over Washington Street.

(Midway/Pacific Highway Corridor Community Area.  
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1121) ADOPTED AS RESOLUTION R-285368

Inviting bids for the Construction of a Barrier Rail on the Pacific Highway Bridge over Washington Street on Work Order No. 112492;

Authorizing a contract with the lowest responsible bidder;

Accepting Program Supplement No. 11-5004(090) to Local Agency - State Agreement for Federal Aid Project No. 11-5004(011), for an amount of \$206,628 for Construction of a Barrier Rail on the Pacific Highway Bridge over Washington Street;

Authorizing the expenditure of \$305,000 from CIP-52-519.0, Annual Allocation - Bridge Rails, of which \$206,628 is from Program Supplement No. 11-5004(090) and \$98,372 is from TransNet Fund 30300;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K95073FA)

CITY MANAGER SUPPORTING INFORMATION:

The existing metal railing on the Pacific Highway Bridge over Washington Street and the guardrail on the roadway approaches are substandard. This project provides for the construction of a standard concrete barrier rail on the bridge, replacement of the substandard guardrail and installation of additional guardrail where required.

Aud. Cert. 9500804.

FILE LOCATION: W.O. 112492 CONT - Modern Alloys, Inc.  
CONTFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

SUBJECT: Three actions related to Monarch Estates Unit No. 3  
Final Map and Subdivision Agreement. (A 125-lot

subdivision located easterly of I-805 along Sorrento Valley Boulevard. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1184) ADOPTED AS RESOLUTION R-285369

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-95-1183) ADOPTED AS RESOLUTION R-285370

Approving the final map.

Subitem-C: (R-95-1185) ADOPTED AS RESOLUTION R-285371

Accepting a grant deed of Pardee Construction Company, granting to the City all of Lot 121 of Monarch Estates Unit No. 3.

FILE LOCATION: Subitems A & B: SUBD - Monarch Estates Unit No. 3; Subitem C: DEED F-6440 CONTFY95-1 DEEDFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:

SUBJECT: Two actions related to Westview Unit No. 8 Final Map and Subdivision Agreement.

(A 7-lot subdivision located on the northwest corner of Westview Parkway and Capricorn Way. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1182) ADOPTED AS RESOLUTION R-285372

Authorizing a Subdivision Improvement Agreement with  
Pardee Construction Company for the installation and  
completion of public improvements.

Subitem-B: (R-95-1181) ADOPTED AS RESOLUTION R-285373

Approving the final map.

FILE LOCATION: SUBD - Westview Unit No. 8 CONFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-107:

SUBJECT: Three actions related to the Coral Gate Landscape  
Maintenance District.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1169) ADOPTED AS RESOLUTION R-285374

Initiating proceedings for the formation of the Coral  
Gate Landscape Maintenance District; accepting the  
petition of the property owners.

Subitem-B: (R-95-1170) ADOPTED AS RESOLUTION R-285375

Resolution of Intention to establish the Coral Gate  
Landscape Maintenance District.

Subitem-C: (R-95-1171) ADOPTED AS RESOLUTION R-285376

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

A petition for this Landscape Maintenance District was signed by

the owner-developer of 100 percent of the property area involved. This landscaping is proposed by the owner-developer of the Coral Gate subdivision along Camino de la Plaza and Bibler Drive and includes four open space lots to be maintained with trees, low growth and low maintenance shrubs. These improvements will be installed by the owner-developer. In order to provide for the continued maintenance of the proposed landscaping, this project will depend on the establishment of a Landscape Maintenance District. Property owners within this district will pay for the annual maintenance on the basis of benefit to the 444 single family dwelling units. The present action is only for the establishment of the district. After the landscape construction is approved and accepted by the City, the landscaping improvements will be maintained by the developer for approximately two years or until January 1998. Consequently, we anticipate assessments will be levied during Fiscal Year 1998. The annual maintenance cost for the proposed landscaping improvements is estimated at \$72,234. The estimated annual assessment is approximately \$162.00 per dwelling unit. The property owners' assessments would not occur until Fiscal Year 1998.

FILE LOCATION: STRT - M-341

COUNCIL ACTION: (Tape location: B037-055.)

MOTION BY WARDEN TO ADOPT. Second by Harvey. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

\* ITEM-108:

SUBJECT: Two actions related to Street Dedication of Harbor Drive and Market Street, Easement Acquisition and Abandonment.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1177) ADOPTED AS RESOLUTION R-285377

Accepting the deed of San Diego Unified Port District, granting to the City easements for public streets, water mains and sewer mains in portions of Pacific

Highway (formerly Atlantic Street) and Columbia Street, and in portions of Blocks 18, 19, 21, 22 and 23 of New San Diego, Map-456, together with a portion of Parcel No. 1-A of the San Diego Unified Port District Tidelands, Miscellaneous Map-564; dedicating and naming the same Harbor Drive and Market Street.

Subitem-B: (R-95-1178) ADOPTED AS RESOLUTION R-285378

Vacating the City's interest in the unneeded water, sewer, drainage, and general utility easements affecting portions of Parcel 1-A of the San Diego Unified Port District Tidelands, Map-564;

Authorizing the execution of a quitclaim deed, quitclaiming to San Diego Unified Port District, all the City's right, title and interest in the water, sewer, drainage, and general utility easements in portions of Parcel 1-A of the San Diego Unified Port District Tidelands, Map-564.

FILE LOCATION: Subitem A: DEED F-6441; Subitem B: DEED F-6442 DEEDFY95-2

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109:

SUBJECT: Drainage Easement Abandonment.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1004) ADOPTED AS RESOLUTION R-285379

Authorizing the sale by negotiation of a drainage easement affecting a portion of the Southwest Quarter of Pueblo Lot 175, for the processing fee, to Richard S. McCune and Nancy F. McCune;



Authorizing the execution of a quitclaim deed,  
quitclaiming the easements to Richard S. McCune and  
Nancy F. McCune;

Declaring that no broker's commission shall be paid by  
the City on the negotiated sale.

CITY MANAGER SUPPORTING INFORMATION:

An application has been received by the Engineering Department  
for abandonment of a drainage easement that encumbers property at  
736 Rosecrans, San Diego. The easement was acquired by the City  
of San Diego at no cost by separate deed. The easement has been  
reviewed by all affected City departments and all have concluded  
there is no present or prospective public need. Therefore,  
abandonment is recommended.

FILE LOCATION: DEED F-6443 DEEDFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110:

SUBJECT: Open Space Easement Abandonment of Parcels A & B,  
Carmel Valley Unit No. 7, Map-11544.

(Located on Saddle Mountain Court and Sunset Bluff Way.  
Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1129) ADOPTED AS RESOLUTION R-285380

Vacating the City's interest in unneeded open space  
easements affecting portions of Parcels A and B, Carmel  
Valley Unit No. 7, Map-11544.

CITY MANAGER SUPPORTING INFORMATION:

An application has been received by the Engineering Department  
for abandonment of open space easements that encumber a portion

of Parcel A and a portion of Parcel B of Map-11544. These two parcel portions were approved for sale to the applicants by Council Resolution R-284813 dated October 31, 1994. However, the need to also abandon the open space easement was overlooked at that time. The easements have been reviewed by the North City West Community Planning Board and affected City departments and all have concluded there is no present or prospective public need for the easements. Therefore, abandonment is recommended.

FILE LOCATION: DEED F-6444 DEEDFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-111: CONTINUED TO MARCH 20, 1995

SUBJECT: Amending the Rental Unit Business Tax Code to Allow for  
Combining Parcels Under Specific Conditions.

(See City Manager Report CMR-95-42.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1215)

Accepting the City Manager's Report CMR-95-42 which  
contains the recommendation to not amend the Rental  
Unit Business Tax Code to allow owners of eight or more  
condominiums and/or single family dwellings to combine  
those parcels in order to receive a reduced tax  
assessment.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO MARCH 20, 1995,  
AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW.  
Second by Warden. Passed by the following vote: Mathis-not  
present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112:

SUBJECT: Lease Purchase of Paramedic Ambulances.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1200) ADOPTED AS RESOLUTION R-285381

Authorizing the City Manager to utilize the Master Lease Program to acquire 13 new ambulances and 6 remounts in Fiscal Year 1995.

CITY MANAGER SUPPORTING INFORMATION:

The agreement between the City and American Medical Services for paramedic system management requires the City to replace ambulances "on a schedule of 125,000 miles or seven years maximum, whichever comes first." Based on the current system status plan, the City is required to provide 28 ambulances. As of January, 1995, the City fleet will have 11 ambulances available with less than 125,000 miles; the remainder will have more than 125,000 miles. During the FY 1995 budget hearings, Council approved the purchase of 5 new ambulances and 6 remounts in FY 1995 using the City's master lease program. However, based on current mileage estimates, this plan will not provide 28 ambulances under 125,000 miles until January 1996 at the earliest. To accelerate the replacement program and provide 28 ambulances with less than 125,000 miles by July 1, 1995, it is proposed that the City purchase 13 new ambulances and remount 6 in FY 1995 and remount 2 in FY 1996. This represents an increase of 8 new ambulances in FY 1995 which is partially offset by a reduction of 10 remounts in FY 1996. New ambulances cost \$80,000 each; remounts \$50,000.

FILE LOCATION: MEET CONTFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113:

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for the Regular Meeting of Monday, February 27, 1995**

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SUBJECT: Supporting State and Federal Funding Assistance for a  
San Diego Region-Wide Beach Replenishment Initiative.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1175) ADOPTED AS RESOLUTION R-285382

Supporting State and Federal funding assistance for a  
San Diego Regionwide Beach Replenishment Initiative  
based on transporting sand from the U.S. Navy Carrier  
Homeporting Project to the region's critically eroded  
beaches.

CITY MANAGER SUPPORTING INFORMATION:

At its September 23, 1994 meeting, SANDAG, at the request of the  
Shoreline Erosion Committee, acted to support a major initiative  
to restore the San Diego region's critically eroded beaches.  
This Resolution will show the City of San Diego's support of this  
initiative, particularly of efforts to seek state and federal  
funds to assist beach replenishment efforts. The focus of the  
beach replenishment initiative is to capitalize on a  
once-in-a-generation opportunity to replenish the region's  
critically eroded beaches at an unprecedented low cost. This  
opportunity stems from the Navy's planned Aircraft Carrier  
Homeporting Project which is expected to dredge in the range of  
12 million cubic yards of uncontaminated beach quality sand from  
San Diego Harbor. The purpose of the state and federal funds  
will be to assist in transporting the sand to eroded beaches in  
all of the region's coastal cities. Eleven local governmental  
agencies, four Chambers of Commerce (including the Greater San  
Diego Chamber) and six citizen and environmental groups have  
already passed similar resolutions.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571; B056-061.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114:

SUBJECT: Transfer of \$150,000 from the Industrial Development

Bond Fund to the Economic Conversion Revolving Fund.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1136) ADOPTED AS RESOLUTION R-285383

Authorizing the City Auditor and Comptroller to appropriate and transfer \$150,000 from the Industrial Development Bond Fund to the Economic Conversion Revolving Fund for the purpose of providing cash advances as required for the term of the Economic Conversion Grant Programs with the interest earned to be retained in the Revolving Fund.

CITY MANAGER SUPPORTING INFORMATION:

Section 3, of the Council approved Economic Development Strategic Plan, dated July 3, 1993 directed the City Manager to pursue funding and resources for the San Diego Economic Adjustment Program. To date the City of San Diego has been awarded six grants for the Economic Conversion Program, two grants from the U. S. Department of Commerce, EDA, three grants from the California Department of Trade and Commerce, and one from the Department of Defense, OEA. In order to efficiently administer these grants, it is necessary to establish a revolving fund for the short term disbursement of funds for grant purposes. The revolving fund would be subsequently reimbursed by grant funding sources. The Industrial Development Bond Fund which had been committed to assist in the Economic Adjustment Program has been identified as a funding source to establish the Economic Conversion Revolving Fund. This action does not commit any additional funds to the Economic Adjustment Program.  
Aud. Cert. 9500821.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

SUBJECT: Two actions related to Deerfield Pump Plant Project

Land Transfer.

(Mission Trails Regional Park Community Area.  
District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1075) ADOPTED AS RESOLUTION R-285384

Authorizing the transfer of a portion of Lot 147 of Mission Pacific Unit No. 1, Map-10251, in consideration of \$17,200 appraisal value, from the Park and Recreation Department to the Water Utilities Department, for the construction of Deerfield Pump Plant;

Authorizing the expenditure of not to exceed \$17,200 from Water Revenue Fund 41500, Water Construction Outlay 70592, CIP-73-268.0.

Subitem-B: (R-95-1076) ADOPTED AS RESOLUTION R-285385

Certifying that the information contained in Mitigated Negative Declaration DEP-91-0901, in connection with the approval of the Deerfield Pump Plant Project land transfer, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the Declaration reflects the independent judgement of the City as Lead Agency and has been reviewed and considered by the City Council as Lead Agency; adopting the Mitigation Monitoring and Reporting Program, or alterations to implement changes to the project to mitigate or avoid significant effects on the environment.

CITY MANAGER SUPPORTING INFORMATION:

This action is being proposed at the request of the Water Utilities and Park & Recreation Director. The Water Utilities Department proposes to purchase approximately 17,000 square feet of designated open space land to construct the Deerfield Pump Plant. This new pump plant would replace the nearby Hillandale Drive Water Pump Plant which is in need of replacement due to leakage damage, excessive heat build-up, and ventilation concerns. Seven alternative sites were identified and the Waring Road Water Pump Plant Citizens Advisory Committee was formed to study the alternatives, ultimately choosing the Deerfield location. Among the top considerations for this site selection

were low construction costs, minimum disruption to the public and homeowners, and elimination of the existing Hillandale Pump Plant. The Mission Trails Regional Park Task Force, Citizens Advisory Committee, as well as the Park & Recreation Department approve the transfer. A staff appraisal has established the value of the Park & Recreation property at \$17,200. The item on construction of the Deerfield Pump Plant will be docketed in early 1995.

Aud. Cert. 9500786.

FILE LOCATION: WATER - Deerfield Pump Plant

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116:

SUBJECT: Authorizing an Additional \$195,000 for Outside Counsel Fees and Costs for Legal Representation in the Case of Solar Turbines, Inc. v. Navistar International Transportation Corp., et al. v. City of San Diego, et al.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1144) ADOPTED AS RESOLUTION R-285386

Authorizing the City Manager to pay for attorneys fees and costs to the law firm of Higgs, Fletcher and Mack as counsel representing the City of San Diego in the case, Solar Turbines, Inc. v. Navistar International Transportation Corp., et al. v. City of San Diego, et al., up to and including the amount of \$195,000 in addition to the previous authorization of \$150,000;

Authorizing the City Auditor and Comptroller to set aside and expend an amount not to exceed \$195,000 for the purpose of paying legal fees and costs incurred by counsel representing the City of San Diego.

SUPPORTING INFORMATION:

This expense authorization has been reviewed by the City Council in Closed Session on January 17 and January 31, 1995. In Closed Session on January 17, 1995, the City Council approved by a vote of 8-0 (District 2 not present) the additional sum of \$20,000 for outside counsel fees and costs. In Closed Session on January 31, 1995 by a vote of 7-0 (Districts 2 and 8 not present) the City Council approved a further additional sum of \$175,000 for outside counsel fees and costs for legal representation in the case Solar Turbines, Inc. v. Navistar International Transportation Corp., et al. v. City of San Diego, et al, above the sum of \$150,000 previously authorized on October 11, 1994.

Aud. Cert. 9500817.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117:

SUBJECT: Authorizing Additional Funds for Attorney Fees and  
Costs for the Appeal of City v. U.S. Gypsum, et al.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1072) ADOPTED AS RESOLUTION R-285387

A Resolution approved by the City Council in Closed Session on Tuesday, January 17, 1995 by the following vote: Mathis-yea; Harvey-not present; Kehoe-not present; Stevens-not present; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the expenditure of \$40,000 for additional attorney fees and costs to handle the Appeal of City v. U.S. Gypsum, et al, Santa Barbara Superior Court Case No. 185188;

Authorizing the City Manager to continue to use the services of Casey, Gerry, Casey, Westbrook, Reed & Schenk to handle the Appeal of this matter;



Authorizing the City Auditor and Comptroller to set aside and expend a total amount not to exceed \$75,000 for the Appeal.

Aud. Cert. 9500782.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

SUBJECT: Legal Services required for the Park in the Valley Property in Assessment District No. 4007, First San Diego River Improvement Project (FISDRIP).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1199) ADOPTED AS RESOLUTION R-285388

Authorizing the expenditure of not to exceed \$50,000 to the law firm of Alvarado, Smith, Wolff & Sanchez for continuing legal services pertaining to property assessment delinquencies in the First San Diego River Improvement District;

Authorizing the City Auditor and Comptroller to set aside and expend not to exceed \$50,000.

CITY MANAGER SUPPORTING INFORMATION:

This action will accomplish the direction given at closed session regarding the Park in the Valley property which has been delinquent in the payment of annual assessments and property taxes since the 1989-1990 fiscal year. Retaining the legal services of Alvarado, Smith, Wolff & Sanchez will allow the City to take the necessary steps toward resolution of the Park in the Valley delinquency issue.

Aud. Cert. 9500846.

FILE LOCATION: STRT D-2256

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-119:

SUBJECT: Joseph Thomas Patrick Flynn Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1209) ADOPTED AS RESOLUTION R-285389

Recognizing and congratulating Joseph Thomas Patrick  
Flynn for his many years of outstanding and dedicated  
service, and extending to him sincere good wishes for a  
long, happy and fulfilling retirement;

Proclaiming March 17, 1995 to be "Joseph Thomas Patrick  
Flynn Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A377-470.)

MOTION BY HARVEY TO APPROVE THE MINUTES AND TO ADOPT ITEMS  
31, 119 AND 137. Second by Kehoe. Passed by the following  
vote: Mathis-not present, Harvey-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-120:

SUBJECT: Brehm Communications Inc. Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1189) ADOPTED AS RESOLUTION R-285390

Recognizing the outstanding corporate commitment that  
Brehm Communications, Inc., has made to the City;

Proclaiming February 24, 1995, to be "Brehm  
Communications Inc. Day" in San Diego in honor of  
their 75th Anniversary.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A473-571; A582-588.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121:

SUBJECT: Excusing Deputy Mayor Juan Vargas from the Council  
Meetings of 12/5-12/6/94 and 12/12-12/13/94.

DEPUTY MAYOR VARGAS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1174) ADOPTED AS RESOLUTION R-285391

Excusing Deputy Mayor Juan Vargas from attending the  
regularly scheduled Council meetings of December 5, 6,  
12, and 13, 1994, due to representing the United States  
of America on a Governmental/Cultural Exchange Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122: CONTINUED TO MARCH 6, 1995

SUBJECT: Project C.A.R.E. Month.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1143)

Proclaiming March, 1995 to be "Project C.A.R.E. Month" in San Diego, as part of a nation-wide effort to focus attention on the needs of senior citizens in the community particularly those who may be living alone.

CITY MANAGER SUPPORTING INFORMATION:

Project "C.A.R.E." stands for Community Action to Reach the Elderly. It is a nation-wide effort to focus attention on ensuring that the seniors who live in our community live as independently as they are able. The City of San Diego, in cooperation with the County of San Diego, private nonprofit agencies, local service clubs, the San Diego Gas and Electric Company, the United States Postal Service, the Social Security Administration, and other interested and concerned groups and individuals, is launching a concerted effort to identify those in need and encourage them to sign up for free services to be provided on their behalf. During the month of March, the Postal Service will be delivering to each resident within the City of San Diego an invitation to reach out to a senior to encourage them to avail themselves of free services which can help them stay in their homes as long as they are physically able. Several of the free programs are designed to help us to be aware if a senior may be in distress. The Postal Service will be watching for mail boxes which are not emptied right away, and meter readers, trash collectors, and street repair persons will be on the lookout for seniors on their routes who may be in distress by noticing newspapers piling up or other signs that they may need assistance. Private nonprofit agencies will be launching campaigns to provide free minor home repairs to ensure seniors' health and safety. City of San Diego employees will be given special business sized cards with telephone numbers to call to report seniors who may be in distress. We plan to use the RSVP (Retired Senior Volunteer Patrol) officers and possibly the Neighborhood Watch Captains to assist with checking on seniors who may be in need of assistance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO MARCH 6, 1995 AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Warden. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123:

SUBJECT: National Child Passenger Safety Awareness Week 1995.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1099) ADOPTED AS RESOLUTION R-285392

Calling upon all citizens, government agencies, public and private institutions, businesses, hospitals and schools in the City of San Diego to promote awareness of every child's right to adequate protection when being transported in a motor vehicle;

Joining the hundreds of local, state and national organizations in supporting efforts to reduce preventable deaths and injuries to child passengers in motor vehicles and proclaiming the week of February 12 through 18, 1995 to be "National Child Passenger Safety Awareness Week" in San Diego.

CITY MANAGER SUPPORTING INFORMATION:

For the past several years, San Diego has had an ongoing Special Traffic Enforcement Program (STEP) addressing the use of child restraint systems in motor vehicles. This has led to a reduction in the number of child passengers killed and injured in traffic collisions. The week of February 12-18, 1995, has been designated National Child Passenger Safety Awareness Week by the National Highway Traffic Safety Administration (NHTSA) to emphasize the use of child restraint systems in motor vehicles. It is recommended that the City join with other cities in supporting the National Child Passenger Safety Awareness Week.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124:

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SUBJECT: Barrio Logan Redevelopment Project Area Committee  
Election Ratification.

(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1152) ADOPTED AS RESOLUTION R-285393

Waiving the election procedures outlined in the  
"Procedure for Formation of Project Area Committee for  
the Mercado del Barrio Redevelopment Project," adopted  
by Resolution No. R-274651 on October 10, 1989, on a  
one time only basis and ratifying the election results  
of January 18, 1995, as binding and consistent with PAC  
Bylaws;

Ratifying and approving the election of the following  
persons to the Barrio Logan Redevelopment Project Area  
Committee:

Residential Owner/Occupant:	Juana Martinez
Residential Tenants:	Jovita Galeana Lydia Hernandez
Business Owner/Representatives:	Walter Barrett Brad Bittner John Ledesma Glenna Schmidt Steve Zapoticzny

CITY MANAGER SUPPORTING INFORMATION:

In accordance with the Barrio Logan Redevelopment Project Area  
Committee (PAC) Bylaws, an annual election was held on January  
18, 1995 to fill seats of members whose terms have expired. As a  
result of the election, eight members were elected. The names  
and categories represented by the eight elected members nominated  
for ratification by the City Council are as follows. (Members  
will serve two year terms):

Residential Owner/Occupant:	Juana Martinez
Residential Tenants:	Jovita Galeana Lydia Hernandez
Business Owner/Representatives:	Walter Barrett

Brad Bittner  
John Ledesma  
Glenna Schmidt  
Steve Zapoticzny

Following the Council's ratification of the election results of January 18, 1995, no vacancies will remain on the PAC. The Redevelopment Agency staff and the PAC membership will undertake continuing efforts to maintain the same high level of interest in the PAC.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-125:

SUBJECT: Compliance with Section 1.150-2 of the Treasury  
Regulations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1163) ADOPTED AS RESOLUTION R-285394

Declaring the intent of the City to use proceeds of taxable or tax-exempt indebtedness issued by the City of San Diego or the Public Facilities Financing Authority of the City of San Diego to reimburse project expenditures made by the City in compliance with Section 1.150-2 of the Treasury Regulations for the sewer utility.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego or the Public Financing Authority of the City of San Diego are empowered to issue and sell bonded indebtedness on behalf of the City to finance construction of capital facilities of the Water Utilities Department necessary to comply with requirements of the Clean Water Act, to replace existing infrastructure and to provide new infrastructure to accommodate growth. This resolution is adopted solely for the

purpose of complying with Section 1.150-2 of the Treasury Regulations, which requires the issuing agency to expressly state its intent to reimburse itself from bond proceeds for expenditures incurred on behalf of the bond-financed project(s). The reimbursement of project expenditures from bond proceeds is limited to one year after the date of payment for the facilities or the in-service date of the entire facility. In FY95 the City Council will be presented with a long term Sewer Fund financing plan which may request authorization to issue debt for the Municipal Sewerage System. The adoption of this resolution does not commit the City Council to the issuance of bonds, but only satisfies Internal Revenue Service regulations to give the City an option to reimburse itself from the bond proceeds for previous expenditures if it decides to issue bonds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-126:

SUBJECT: Application for Mortgage Credit Certificate Allocation.  
(See Housing Commission Report HCR-95-011.)

HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1198) ADOPTED AS RESOLUTION R-285395

Authorizing the Executive Director of the San Diego Housing Commission to submit an application to the Mortgage Bond Tax Credit Allocation Committee for an allocation of \$50,000,000, or the maximum amount allowed by the State, to promote homeownership for low and moderate income first-time homebuyers;

Directing that an amount of one percent of the requested Mortgage Credit Certificate Authority amount be deposited with the State and .00025 of the amount be paid to the State as the application fee, with the amounts to come solely and exclusively from available budgeted Housing Commission funds.



FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571; A589-B033.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-127:

SUBJECT: Second Amendment to the Agreement for Engineering  
Services between the City of San Diego and BRW, Inc.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1140 Cor.Copy) ADOPTED AS RESOLUTION R-285396

Authorizing the execution of a second amendment to the  
agreement of October 4, 1993, with BRW, Inc., for  
as-needed traffic engineering services;

Authorizing the transfer of not to exceed \$45,000  
within the Water Revenue Fund 41500, from CIP-73-195.0,  
Bonita Pipeline, to CIP-738434, Miramar Pipeline  
Rehabilitation - Phase 2;

Authorizing the expenditure of not to exceed \$50,000,  
consisting of \$45,000 from Water Revenue Fund 41500,  
CIP-738434, Miramar Pipeline Rehabilitation - Phase 2;  
\$4,000 from Water Revenue Fund 41500, CIP-73-312.0,  
Annual Allocation - As-Needed Consultant Services; and  
\$1,000 from Sewer Revenue Fund 41506, CIP-46-174.0,  
Annual Allocation - As-Needed Consultant Services.

CITY MANAGER SUPPORTING INFORMATION:

The City and BRW, Inc. previously entered into an Agreement for  
Consulting Services, Document No. RR-282726, dated October 4,  
1993 to provide Traffic Engineering Services on an as-needed,  
hourly fee basis, for a two-year period, at a cost not to exceed  
\$200,000. The location of this activity was City-wide. On March  
15, 1994, the City and Consultant entered into the First  
Amendment to the Agreement, filed in the Office of the City  
Clerk, as Document No. C-05366, which raised the individual task  
limit from \$20,000 to \$50,000. Currently, the City requires

additional Traffic Engineering Services beyond the \$200,000 limit to develop traffic control plans for two projects: the Miramar Pipeline Rehabilitation Project, and Water and Sewer Group Job 467, which are scheduled to be advertised for bids within the next year. This Amendment will facilitate the preparation of the required plans and avoid delays to the projects.  
Aud. Cert. 9500787, 9500788.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-128:

SUBJECT: Two actions related to a Fourth Amendment to the Agreement with Boyle Engineering Corporation in connection with the Rose Canyon Trunk Sewer.

(Clairemont Mesa and University Community Areas.  
Districts-1 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1164) ADOPTED AS RESOLUTION R-285397

Authorizing a fourth amendment to the agreement of March 6, 1989 with Boyle Engineering Corporation (San Diego), to provide engineering services in connection with the Rose Canyon Trunk Sewer;

Authorizing the expenditure of not to exceed \$200,436 from Sewer Revenue Fund 41506, CIP-46-111.0, Rose Canyon Trunk Sewer.

Subitem-B: (R-95-1165) ADOPTED AS RESOLUTION R-285398

Stating for the record that Environmental Impact Report and Mitigation, Monitoring and Reporting Program DEP-89-0876 has been reviewed and considered by Council for the City as Lead Agency in connection with the Rose Canyon Trunk Sewer.

CITY MANAGER SUPPORTING INFORMATION:

On March 6, 1989, the City entered into an agreement with Boyle Engineering Corporation for engineering services for the Rose Canyon Trunk Sewer Project, Document No. RR-273001. On July 10, 1989, December 10, 1990, and December 9, 1991, the original agreement was amended, Document Nos. RR-273923, RR-277033 and RR-279150 respectively, to provide aerial surveying services and to prepare a draft Environmental Impact Report (EIR). Contract Amendment No. 4 encompasses additional work not fully included in the previous authorizations. Current status of the project is that design work is complete, and construction is proceeding. Additional funds are required to provide for additional tasks which need to be accomplished during the construction phase. Amendment No. 4 provides for detailed construction schedule review and analysis, archaeological mitigation monitoring, and technical review of the Contractor's field work and analysis. Other tasks include additional design services during construction, attendance at construction meetings, review of contractor's request for design clarification/changes, additional corrosion engineering and geotechnical services. Sub-consultants will perform 23.9 percent of the work, including 7.1 percent MBE for corrosion engineering, and geotechnical engineering.

Aud. Cert. 9500797.

WU-U-95-104.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-129:

SUBJECT: Memorandum of Understanding for Reciprocal Interim  
Certification of Disadvantaged, Minority and  
Women-Owned Business Enterprises.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1137) ADOPTED AS RESOLUTION R-285399

Authorizing a Memorandum of Understanding between the City of San Diego, CalTrans (Dist. 11), County of San Diego, North San Diego County Transit Development Board, Metropolitan Transit Development Board, San Diego Association of Governments, San Diego County Water Authority, San Diego Trolley, San Diego Transit Corporation, San Diego Unified Port District, and San Diego Unified School District Board of Education, for the purpose of reciprocal interim certification of Disadvantaged, Minority and Women-Owned Business Enterprises.

CITY MANAGER SUPPORTING INFORMATION:

Council entered into a Memorandum of Understanding between the City of San Diego, CalTrans (Dist. 11), County of San Diego, North San Diego County Transit Development Board, San Diego Association of Governments, San Diego County Water Authority, San Diego Metropolitan Transit Development Board, San Diego Transit Corporation, San Diego Trolley, San Diego Unified Port District, and the San Diego Unified School District Board of Education, for the purpose of reciprocal interim certification of Disadvantaged, Minority and Women-Owned Business Enterprises in accordance with 49 Code of Federal Regulations. The previous Memorandum of Understanding expired on February 26, 1994. This Memorandum of Understanding will extend the agreement until February 29, 1996.

FILE LOCATION: MEET CONTFY95-11

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-130:

SUBJECT: Two actions related to an Agreement for As-Needed  
Stormwater Sampling and Testing.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1191) ADOPTED AS RESOLUTION R-285400

Authorizing a co-permittee joint wet weather monitoring

agreement with participating agencies;

Authorizing the Auditor and Comptroller to accept funds from these agencies up to \$366,823 to be deposited in Storm Drain Fee Fund 10508.

Subitem-B: (R-95-1192) ADOPTED AS RESOLUTION R-285401

Authorizing an agreement with Kinnetic Laboratories, Inc. (San Diego), to provide professional services for as-needed storm water sampling and testing;

Authorizing the expenditure of not to exceed \$500,000 from Storm Drain Fee Fund 10508, not to exceed \$50,000 from CIP-12-076.0, Mission Bay Water Quality Testing, Sludge Mitigation Fund 10507, and not to exceed \$32,465 from Water Utilities Fund 40012 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

This is the second year of a cooperative agreement for wet weather sampling and testing of stormwater between 18 incorporated cities, the Unified Port District and San Diego County. This program will satisfy the monitoring requirements of the County-wide Federal stormwater discharge permit. The City of San Diego has agreed to hire the testing consultant and administer the contract. All co-permittees share in the cost according to population. In addition, Kinnetic Laboratories will be performing further testing of stormwaters flowing to Mission Bay in an attempt to pinpoint the sources and causes of bacterial contamination during and after winter rains. Tecolote and Rose Creeks will be targeted for multi-point sampling and testing in an effort to determine a correlation between urban and non-urban runoff and between various land uses including residential, commercial, and industrial. Up to 300 samples will be taken by Kinnetic Laboratories, Inc., at various locations throughout the duration of selected storms and tested by Water Utilities for levels of coliform and enterococcus bacteria. In accordance with Council Policy 300-7 and Administrative Regulation 25.60, the Consultant Coordinator advertised a request for proposals with eight firms responding. The Consultant Nominating Committee reduced the list to four firms for consideration. Interviews were conducted on September 1, 1994, with Kinnetic Laboratories, Inc. being recommended for professional services. Fee negotiations were consummated on December 6, 1994, resulting in mutually acceptable terms and conditions including a time and material fee not to exceed \$582,465.

Aud. Cert. 9500816.

FILE LOCATION: MEET CCONFY95-1 CONTFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-131:

SUBJECT: Community Based Toilet Replacement Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1197) ADOPTED AS RESOLUTION R-285402

Authorizing the City Manager to continue the Community  
Based Toilet Replacement Program;

Authorizing an agreement with the San Diego County  
Water Authority, to implement and administer the  
Community Based Toilet Replacement Program;

Authorizing the expenditure of not to exceed \$150,000  
from the Water Utilities Department Operating Fund  
41500, Water Conservation Program 70622.

CITY MANAGER SUPPORTING INFORMATION:

This action requests the continued funding of the Community Based Toilet Replacement Program (Toilet Replacement Program) for the current Fiscal Year by entering into an agreement with the San Diego County Water Authority (CWA) to provide matching funds from the CWA and the Metropolitan Water District of Southern California (MWD) for 5,000 ultra-low flush toilets (ulft's). The program's funding percentages remain at 25 percent each for the City and the CWA, and 50 percent for the MWD. In June of 1993, the City Council first approved the City's participation in the Toilet Replacement Program which distributed citywide more than 5,000 ulft's to single-family owner occupied households meeting low income criteria established by the U.S. Housing and Urban Development. The Council approved a second phase of this successful water conservation program in June of 1994. More than 5,500 ulft's were distributed through this phase of the program. The CWA has once again contracted with Triple Crown to

operate a local field office for City residents. Triple Crown will hire local residents to work in the office determining program eligibility, processing applications, canvassing neighborhoods to tell residents about the program, and collecting and recycling the old, higher volume toilets. The estimated water savings for the 5,000 ulft's is 220,000 gallons per day or 246 acre-feet per year. The City's cost to implement this program is \$61 per acre foot saved, compared to \$405 per acre-foot which is the current price the City pays for imported water.

Aud. Cert. 9500814.

WU-WC-95-109.

FILE LOCATION: WATER - Toilet Replacement Program  
CONFY95-1

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-132: TRAILED TO TUESDAY, FEBRUARY 28, 1995

SUBJECT: Two actions related to Participation Agreement for the  
Design and Construction of Phase II Water Main  
Improvements in Tierrasanta Norte.

(Tierrasanta Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1206)

Authorizing a Participation Agreement with Tierrasanta  
L-L Partnership, for the design, construction and  
reimbursement of Phase II Water Main Improvements;

Authorizing the expenditure of not to exceed \$448,035  
from Water Revenue Fund No. 41500, Water System  
Construction Program, Tierrasanta Pressure Zone  
Improvements, CIP-73-300.0;

Authorizing the City Manager to finance and refinance this agreement with tax exempt securities, if circumstances so warrant.

Subitem-B: (R-95-1207)

Certifying that the information contained in Environmental Impact Report EIR-91-0264, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the Declaration reflects the independent judgment of the City as Lead Agency, and that the Declaration has been reviewed and considered by the Council;

Adopting the Mitigation, Monitoring and Reporting Program, or alterations to implement the changes to the project as required in order to mitigate or avoid significant effects on the environment.

CITY MANAGER SUPPORTING INFORMATION:

As a condition of Subdivision Board Resolution No. 5450, dated June 5, 1989, Tentative Map TM-89-0396, Tierrasanta L-L Partnership was required to make improvements to the Tierrasanta Pressure Zone. The developer prepared a study which analyzed alternatives for the Phase II improvements. The Water Utilities Department and Tierrasanta L-L Partnership have agreed the best alternative is the installation of approximately 2,800 feet of 16-inch diameter water main. The Phase II Improvements are needed to upgrade existing water systems to provide sufficient redundancy for the existing area. The facilities will benefit the City as a whole. After City acceptance of the water main, the City will reimburse the developer for the actual cost to design and construct the Phase II improvements.

Aud. Cert. 9500851.

WU-U-95-102.

FILE LOCATION: NONE

\* ITEM-133:

SUBJECT: Appointment to the City Public Utilities Advisory Commission.

(See memorandum from Mayor Golding dated 2/1/95 with



resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1220) ADOPTED AS RESOLUTION R-285403

Council confirmation of the appointment by the Mayor of Harold Pace, to serve as a member of the City Public Utilities Advisory Commission, for a term ending October 1, 1995, replacing Leon A. Brady III, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-134:

SUBJECT: SB 31 - Tort Reform Legislation Related to Negligence Liability.

(See Intergovernmental Relations Department Report IRD-95-1.)

RULES COMMITTEE'S RECOMMENDATION:

On 1/9/95, RULES voted 5-0 to recommend adoption of the following resolution: (Councilmembers Kehoe, Warden, Stallings, Vargas, and Mayor Golding voted yea):

(R-95-1112) ADOPTED AS RESOLUTION R-285404

Directing the Intergovernmental Relations Department to:

1) Advise the delegation of the City's full support for Tort Reform and support, in concept, for SB 31 - Tort Reform Legislation Related to Negligence Liability, as presently drafted;

2) Keep the San Diego City Council Committee on Rules,

Finance and Intergovernmental Relations abreast of  
changes that would affect the City's support of SB 31.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-135:

SUBJECT: H.R. 794 Exemption Legislation Related to Wastewater  
Discharged through Pt. Loma Outfall.

(See Intergovernmental Relations Department Report  
IRD-95-2.)

RULES COMMITTEE'S RECOMMENDATION:

On 2/6/95, RULES voted 5-0 to recommend adoption of the following  
resolution (Councilmembers Kehoe, Warden, Stallings, Vargas and  
Mayor Golding voted yea):

(R-95-1190) ADOPTED AS RESOLUTION R-285405

Directing the Intergovernmental Relations Department to  
convey the City's support of H.R. 794, exemption  
legislation related to wastewater discharged through  
the Point Loma outfall, to the appropriate elected  
officials in Washington, D.C.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-136:

SUBJECT: Biosolids Beneficial Use Plan.

(See City Manager Report CMR-95-30.)

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S  
RECOMMENDATION:

On 2/8/95, NRC&A voted 5-0 to recommend adoption of the following resolution (Councilmembers Mathis, Harvey, Warden, Stallings and McCarty voted yea):

(R-95-1162) ADOPTED AS RESOLUTION R-285406

Establishing Council Policy 400-02 regarding the  
Beneficial Reuse of Biosolids.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-137:

SUBJECT: Jimmy Tollefson Day.

DEPUTY MAYOR VARGAS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1223) ADOPTED AS RESOLUTION R-285407

Recognizing the accomplishments of Jimmy Tollefson;

Proclaiming Thursday, January 26, 1995 to be "Jimmy  
Tollefson Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A349-376; A460-470.)

MOTION BY HARVEY TO APPROVE THE MINUTES AND TO ADOPT ITEMS  
31, 119 AND 137. Second by Kehoe. Passed by the following  
vote: Mathis-not present, Harvey-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Fiscal Year 1996 Park Trailer Bill.

(See City Manager Reports CMR-95-32 & CMR-94-387.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1110) ADOPTED AS RESOLUTION R-285408

Approving the list of park projects for potential consideration by the State Legislature in the park trailer bill, as set forth in City Manager's Report CMR-95-32;

Authorizing the City Manager or his designee to submit the list of park projects to the City's lobbyist in Sacramento.

OTHER RECOMMENDATIONS:

Public Facilities and Recreation Committee's Recommendation:  
On 12/7/94 PF&R voted 3-0 to approve the list of projects with amendments to be provided by the Districts. (Councilmembers Mathis, Kehoe, and Stallings voted yea. Councilmembers Warden and McCarty not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Amendment to the S.D. Muni. Code relating to Parking Meters - Operation.

(Downtown, Hillcrest, University Heights Community Areas. Districts-2, 3, 7 and 8.)

(Continued from the meeting of February 13, 1995, Item

52, at Councilmember Harvey's request, to allow time to meet with the City Manager and members of the public.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-82) INTRODUCED, TO BE ADOPTED MARCH 20, 1995

Introduction of an Ordinance amending Chapter VIII, Article II, of the San Diego Municipal Code by amending Section 82.06, relating to Parking Meters - Operation.

CITY MANAGER SUPPORTING INFORMATION:

Section 82.06 of the San Diego Municipal Code specifically states: "Each parking meter shall be set to display, upon the deposit of five-cent coins therein, a sign indicating legal parking for that period of time conforming to the limit of parking time which has been or may be established for that area or zone of the street upon which said parking meter is installed, and shall continue to operate from the time of the deposit of the time fixed as the parking limit for the part of the street upon which said meter is placed." Since last amended on June 4, 1959, this section has been overlooked during the upgrade of parking meters throughout the years. At the current meter rate, the mechanical meters can only accept quarters due to their inability to calculate time properly for increments of less than twenty-five cents. In addition, future meter technology may allow the use of credit cards, debit cards, or other devices. The above mentioned section should be amended by deleting the specific language "five-cent coins" and inserting "U.S. coins and currency or other approved credit/debit device" in its place to allow for current practice and cover any anticipated changes.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B062-304.)

MOTION BY HARVEY TO INTRODUCE THE ORDINANCE AND TO DIRECT THE CITY MANAGER TO: 1) EXPEDITE THE ITEM THAT WAS REFERRED TO THE COMMITTEE OF THE WHOLE WHICH IS TO GO BACK TO THE PARKING METERS THAT WOULD ALLOW FOR NICKELS, DIMES AND QUARTERS; 2) DEVELOP AND BRING BACK IN THREE WEEKS, A PILOT PROJECT TO CONVERT THE ELECTRONIC METERS IN THE GASLAMP QUARTER TO ACCEPT NICKELS, DIMES AND QUARTERS. THE PILOT PROJECT, AT THIS POINT, WOULD BE LIMITED TO THE GASLAMP QUARTER AND WILL ANSWER ONCE AND FOR ALL WHETHER THIS KIND OF CONVERSION IS OF BENEFIT TO THE CITY, OUR CONSUMERS AND OUR TOURISTS. Second by Kehoe. Passed by the following

vote: Mathis-not present, Harvey-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: 8 MPH Speed Limit on Ocean Front Walk and Ocean Blvd.

(Mission Beach and Pacific Beach Community Areas.  
District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-85) INTRODUCED, TO BE ADOPTED MARCH 20, 1995

Introduction of an Ordinance amending Chapter VI,  
Article 3, Division 1, of the San Diego Municipal Code,  
by renumbering and amending Section 63.0108 to Section  
63.0110 and adding a new Section 63.0108 relating to  
the Use of Park Areas, to add an 8 MPH speed limit on  
Ocean Front Walk and Ocean Blvd. from the South Mission  
Beach Jetty to Law Street.

CITY MANAGER SUPPORTING INFORMATION:

On December 12, 1994, City Council directed the Manager to draft  
an ordinance for an 8 MPH speed limit on Ocean Front Walk  
boardwalk in the area covered by the "Safety Study for Ocean  
Front Walk," from the South Mission Beach Jetty to Thomas Avenue.  
Police recommend extending the speed limit north to the terminus  
of the walkway on Ocean Boulevard at Law Street. The speed limit  
was proposed to help improve safety on the boardwalk. The speed  
limit will apply to all pedestrian and wheeled uses. The  
proposed total fine amount is \$27, which is the amount for any  
infraction not listed in the annual Bail Schedule.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B309-695.)

MOTION BY McCARTY TO INTRODUCE THE ORDINANCE. Second by  
Vargas. Passed by the following vote: Mathis-not present,  
Harvey-nay, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

Motion by Harvey to direct the City Manager to return to the

Natural Resources and Cultural Arts Committee with an analysis of the cost to replenish either the entire Belmont Park fund from another source, or as a minimum, the portion of the funds which is used outside the Belmont Park boundaries. Second by McCarty. Passed by the following vote: Yeas-2,3,4,5,6,7,8,M. Nays-none. Not present-1.

ITEM-202:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.  
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1188) ADOPTED AS RESOLUTION R-285409

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every fourteen days until the local emergency

is declared to be terminated. The State of Emergency was first declared by City Council on September 7, 1993. This action requests the continuation of the State of Emergency and authorization for the City Manager to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.  
Passed by the following vote: Mathis-not present,  
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: CONTINUED TO MARCH 20, 1995

SUBJECT: Amendment and Restatement of the Supplemental Pension Savings Plan, Supplemental Pension Savings Plan - Medicare, Supplemental Pension Savings Plan - Hourly and 401(K) Plan.

(See City Manager Report CMR-94-365.)

(Continued from the meeting of November 28, 1994, Item 140, at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1967 Cor. Copy)

Amending the SPSP, SPSP-M, SPSP-H AND 401(K) Plans subject to a vote of approval by the Plan Participants and effective upon that date to:

a) Allow the Trustee to contract for third party administration and investment services so that each participant will be allowed to choose the type and mix of their investments;

b) Establish Co-Trustees to manage the Trust Fund to include the City Treasurer, the City Manager and the Retirement Administrator or their designees;



Amending the SPSP, SPSP-M, SPSP-H and 401(K) Plans to bring the Plans into conformance with existing laws to:

a) Add provisions which would allow employees to rollover eligible distribution amounts as required by the Unemployment Compensation Act of 1992;

b) Bring the Plans into conformance with existing California community property laws.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-571.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO MARCH 20, 1995, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Warden. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Consideration of Council Policy 700-46 establishing screening criteria for the acceptance of Mills Act contract proposals.

(Property Tax Reduction. Citywide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1146) ADOPTED AS RESOLUTION R-285410

Adoption of a Resolution establishing Council Policy No. 700-46 regarding Mills Act Agreements for Preservation of Historic Property.

OTHER RECOMMENDATIONS:

A status report was made to the Community Planning Chairs at their May 24, 1994 meeting; no comments given. Historical Site Board recommended that all properties, residential and commercial would be eligible and that there should be no fee for applications.

SUPPORTING INFORMATION:

The Mills Act is a state law which permits the City Council to enter into individual voluntary contracts with the owners of qualifying historic properties in order to foster historic preservation and to encourage neighborhood revitalization. During the life of the contracts, the historic property owner utilizes an alternative method for computing the assessed value of this historic property, thus reducing property taxes by 40-70 percent. The proposed City Council Policy is as directed at the Council hearing held on November 1, 1994, Item 330, and excludes Redevelopment Project Areas. The Redevelopment Agency has 180 days from adoption of this Council Policy to return to Council with a proposal(s) for those areas. On November 1, 1994, Council voted 8-0 (Councilmember Kehoe not present) to accept the City Manager's recommendation, but to include commercial properties with graduated filing fees; accept the drive-by inspections; include redevelopment agency option presentation to Council within 180 days; and leave out 10-year schedule of work.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C485-D196.)

Hearing began at 3:38 p.m. and halted at 4:01 p.m.

Testimony in favor by David Swarens.

Testimony in opposition by Paul Johnson.

MOTION BY STEVENS TO ADOPT THE CITY MANAGER'S RECOMMENDATION. ACCEPT COUNCIL MEMBER KEHOE'S RECOMMENDATION TO DIRECT THE REDEVELOPMENT AGENCY TO RETURN TO COUNCIL IN 120 DAYS INSTEAD OF 180 DAYS TO REVIEW THE PROPOSALS IN A MORE TIMELY MANNER. Second by Warden. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

Motion by Vargas to include the redevelopment areas so that they can receive the same benefits as the policy that just passed, with the exception of CCDC who will come back in 120 days. Motion withdrawn.

\* ITEM-S400:

SUBJECT: Emergency Fee Waiver for Pyxis Corporation.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1257 REV.1) ADOPTED AS AMENDED AS RESOLUTION R-285411

Granting a variance to Pyxis Corporation from an approximately \$12,000 Housing Trust Fund Fee, pursuant to San Diego Municipal Code Section 98.0615, and the Council's determination that the project qualifies for a variance;

Directing the City Manager to:

1) Evaluate whether or not applications for building permits submitted on or after February 28, 1995, for internal space remodeling and tenant improvements should be exempted from the Housing Trust Fund Ordinance;

2) Evaluate whether or not Housing Trust Fund fees should be charged only on building permits which create new useable space, not changes in use or occupancy as the ordinance currently charges;

Declaring that this matter is continued to the Council meeting of April 3, 1995, at which date the City Clerk is directed to docket the matter of proposed amendments to be prepared by the City Manager and the City Attorney to modify the Housing Trust Fund Ordinance to better protect against future inequitable or inappropriate fee requirements;

Declaring that pending Council review of proposed modifications to the Housing Trust Fund Ordinance, the City Manager is directed to maintain a record of any Housing Trust Fund fees collected during the period of February 28, 1995, through April 2, 1995 so that any such fees which may be waived as a result of amendments to the ordinance may be reimbursed to permit applicants.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D197-E210.)

MOTION BY WARDEN TO WAIVE THE FEES FOR PYXIS UNDER THE VARIANCE PROCESS CONTAINED IN THE ORDINANCE AND TO REFER ITEMS 2 THROUGH 5 OF THE 1472 TO THE LAND USE AND HOUSING COMMITTEE. Second by McCarty. Passed by the following vote: Mathis-not present, Harvey-yea, Kehoe-nay, Stevens-nay, Warden-yea, Stallings-nay, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:50 p.m. in honor of the memory of:

Farid Jamil Harb as requested by Mayor Golding and City Attorney Witt;

Judge Charles Snell as requested by Mayor Golding and City Attorney Witt;

Sandra Vecchione as requested by Mayor Golding, Council Member Harvey and City Clerk Abdelnour;

Edward Rhodes as requested by Mayor Golding;

Bob Walter as requested by Council Member Kehoe; and

Doris Ringgold as requested by Council Member Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E282-322.)